



## REPORT OF THE BOARD OF STEWARDS

### DEL MAR SUMMER MEET DEL MAR THOROUGHBRED CLUB

#### To the California Horse Racing Board

HONORABLE EDMUND G. BROWN JR. GOVERNOR  
HONORABLE CHUCK WINNER, CHAIRMAN  
HONORABLE MADELINE AUERBACH, VICE CHAIRMAN  
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JACQUELINE WAGNER, ASSISTANT EXECUTIVE DIRECTOR  
JOHN McDONOUGH, CHIEF COUNSEL  
DARREL MCHARGUE, CHIEF STEWARD

\* \* \* \* \*

#### WEEK 3 - Wednesday, August 1, 2018 through Sunday, August 5, 2018.

#### TUESDAY 07-31-18<sup>1</sup>

##### STEWARD ON DUTY

John Herbuveaux was in attendance to oversee scratches for Wednesday's races and any other issues pertinent to racing.

#### WEDNESDAY 08-01-18<sup>1</sup>

##### UTAH STEWARD

Steward Blake Neilsen from Salt Lake City Utah is spending a few days at Del Mar and has requested spending time with this BOS. He will spend some time in AM and in the stand in the afternoon.

08-01-18<sup>2</sup>

##### JOCKEY FILM REVIEW

Mario Gutierrez met with the Stewards to review the second race on Sunday in which he drifted in the stretch possibly causing interference. After a review of the available angles of the race, in a majority opinion, Gutierrez was clear when he shifted out in front of #1 King Abner (H. Figueroa 3rd) who was closing with a rush. Mr. Baker felt this was a careless ride and voted for a suspension. Warning.

08-01-18<sup>3</sup>

##### INQUIRY/ACCIDENT FIFTH RACE NO CHANGE 1 mile-dirt

Following the running of the race the inquiry sign was posted to review the start and an incident inside the 1/4 pole. Involved at the start was #2 Wise Curlin (M. Pedroza DNF) who stumbled and unseated its jockey. No other horses were involved in the accident. The second incident involved #1 Taniko (S. Gonzalez 1st), #9 Hard Arch (A. Espinoza 4th). After a review of the available video angles and conversation with both jockeys involved in a unanimous opinion no action was taken. Near the 3/16 marker, #1 while passing #9

on the outside, leaned in, #9 at the same time leaned out and had to steady. Both horses were involved in the incident. The original order of finish was made official.

08-01-18<sup>4</sup>

#### **VOIDED CLAIMS**

After a physical examination by Official Veterinarian Will Farmer of #6 Wonderful Lie (Tr. P. Miller) in the second race and #8 Mr. Cruz (Tr. L. Mendez) in the fourth race, he placed both horses on the Veterinarian's List which required the Stewards to void the claims. The two horses were returned to the stables of their original trainers.

08-01-18<sup>5</sup>

#### **DECLARATIONS, CHANGES AND REFUNDS**

1st Race	No Changes. Refund: \$0
2 <sup>nd</sup> Race	#2 Skeeter Davis (Tr. A. Herbertson) M. Gutierrez replaced G. Stevens (sick) #5 Ib Prospecting (Tr. D. Hofmans) claimed by Tr. P. Gallagher #6 Wonderful Lie (Tr. P. Miller) claimed by Tr. M. Pender #7 Be a Lady (Tr. Hollendorfer) claimed by Tr. N. French. Refund: \$44.00
3 <sup>rd</sup> Race	No Changes. Refund: \$242.06
4 <sup>th</sup> Race	#4 Brandothebartender (Tr. A. Lerner) claimed by Tr. C. Dollase #8 Mr Cruz (Tr. L. Mendez) claimed by Tr. S. Gonzalez #10 Skelton Pass (Tr. C. Treece) Veterinarian-unsound -Dr. Farmer Refund: \$1,181.40
5 <sup>th</sup> Race	#1 Taniko (Tr. P. D'Amato) claimed by Tr. D. O'Neill #3 Ivy Mike (Tr. D. Hofmans) Veterinarian-injured-Dr. Farmer #7 Gray Admiral (Tr. V.Garcia) claimed by Tr. V.Belvoir. Refund: \$459.61
6 <sup>th</sup> Race	#7 Oscar Dominguez (J. Carava) claimed by Tr. A. Kitchingman Refund: \$481.44
7 <sup>th</sup> Race	#3 Time for Kisses (Tr. G. Sherlock) Steward-stake #7 Montana Sunset (Tr. W. Ward) F. Prat replaced G. Stevens (sick) Refund: \$3,262.82
8 <sup>th</sup> Race	#5 Girl Drama (Tr. M. McCarthy) claimed by Tr. P. Miller #10 Royal C (Tr. J. Carava) claimed by Tr. A. Herbertson. Refund: \$1,884.92

08-01-18<sup>6</sup>

#### **DAILY ATTENDANCE & HANDLE**

On Track	7,583	\$1,009,944.58
Off Track	3,499	\$1,832,093.77
Out -of-State	-0-	\$5,826,879.91
Total	11,082	\$8,668,918.26

#### **THURSDAY**

08-02-18<sup>1</sup>

#### **JOCKEY FILM REVIEW**

Apprentice Heriberto Figueroa joined the Stewards to discuss a possible crop violation in the second race on Sunday. After a review it was confirmed he did not violate the rule (1688) but was warned it would benefit him to be less aggressive with the crop.

Apprentice Assael Espinoza was directed to meet with the BOS to review the fifth race (ref 08-01-18 (3) that involved an inquiry. Although his ride did not rise to the level of a suspension, the incident was viewed and discussed. Warning.

Santiago Gonzales also met with the Stewards to review the fifth race yesterday (ref 08-01-18 (3). The same inquiry as with Espinoza was reviewed and discussed. Warning.

08-02-18<sup>2</sup>**JOCKEY OBJECTION FIRST RACE NO CHANGE 1 Mile Turf**

Following the running of the race jockey Gary Stevens aboard #3 Streak of Luck who finished second (neck) lodged an objection against #2 Clearly Gone (F. Prat 1st) for possible interference in the stretch. After a review of the video and conversation with both jockeys it was a unanimous opinion that the majority of the minor contact came from #3 and the original order of finish was made official.

08-02-18<sup>3</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race No Changes. Refund: \$28.06  
 2<sup>nd</sup> Race #7 Persistence (IRE) (Tr. J. Cassidy) claimed by Tr. M. Calvario  
 Refund: \$29.00  
 3<sup>rd</sup> Race #2 Big Sky Logan (Tr. V. Cerin) Steward-FTG, discovered in Receiving Barn  
 Refund: \$13,355.02  
 4<sup>th</sup> Race #4 Vinaka (Tr. J. Bonde) claimed by Tr. M. Calvario. Refund: \$1.00  
 5<sup>th</sup> Race No Changes. Refund: \$45.40  
 6<sup>th</sup> Race No Changes. Refund: \$434.41  
 7<sup>th</sup> Race No Changes. Refund: \$144.00  
 8<sup>th</sup> Race #5 Be lifted Up (Tr. S. Miyadi) claimed by Tr. S. McCarthy  
 Refund: \$1,737.35

08-02-18<sup>4</sup>**DAILY ATTENDANCE & HANDLE**

On Track	6,931	\$981,794.74
Off Track	4,311	\$2,226,064.88
Out -of-State	-0-	\$6,255,037.54
Total	11,242	\$9,462,897.16

**FRIDAY**08-03-18<sup>1</sup>**OLIVER CASE 18LT0011**

This case was filed on behalf of trainer Librado Barocio for training fees owed by owner James Oliver in the amount of \$26,216.00. After both parties agreed to and signed a financial agreement the complaint was signed off.

08-03-18<sup>2</sup>**JOCKEY FILM REVIEW**

Agapito Delgadillo and Giovanni Franco met with the Stewards to review the start of the seventh race yesterday. Mr. Delgadillo was slow to correct an inward drift. Warning. Giovanni Franco made a satisfactory effort to control his horse. Warning. Mr. Franco also reviewed his outward drift in the stretch which was not penalty worthy, but he was warned he needs to be more aware, he stated he would comply. Santiago Gonzalez joined the BOS to discuss his ride approaching the first turn in the fifth race yesterday in which two horses to his inside were in tight quarters. He was told moving forward he needs to be more aware of his surroundings, he agreed. Warning.

08-03-18<sup>3</sup>**SMOOTH SAILING**

The afternoon card was performed without a ripple, any changes made are listed below.

08-03-18<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1<sup>st</sup> Race #3 R Cha Cha (Tr. S. Miyadi) claimed by Tr. D. O'Neill  
 #5 Will Tell (Tr. V. Cerin) claimed by Tr. M. Glatt. Refund: \$198.00  
 2<sup>nd</sup> Race #9 Powder (Tr. I. Kruljac) claimed by Tr. P. Miller. Refund: \$169.00  
 3<sup>rd</sup> Race No Changes. Refund: \$1,578.59

4<sup>th</sup> Race No Changes. Refund: \$22.00  
 5<sup>th</sup> Race No Changes. Refund: \$219.00  
 6<sup>th</sup> Race No Changes. Refund: \$30.00  
 7<sup>th</sup> Race No Changes. Refund: \$36.00  
 8<sup>th</sup> Race #9 Grecian Fort (Tr. A. Garcia) O. Vergara Jr. replaced C. Franco (no show) CW 122. Refund: \$711.08

08-03-18<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

On Track	12,584	\$1,435,942.28
Off Track	4,932	\$3,053,067.94
Out –of-State	-0-	\$8,708,875.65
Total	17,516	\$13,197,885.87

**SATURDAY**

08-04-18<sup>1</sup>

**HERNANDEZ RULING**

The following ruling was issued after Mr. Hernandez appeared to answer the alleged charges filed against him.

**DMTD RULING #009**

Expired Licensee (Exercise Rider) Luis Hernandez having now appeared for a hearing to answer charges alleging violation of CHRB rule #1489 (8) (Grounds for Denial or Refusal of License) is deemed eligible for relicensing and Los Angeles Turf Club ruling #39, dated February 13, 2014, suspending Mr. Hernandez for violation of CHRB rule #1547 (Failure to Appear) is set aside. Further, Luis Hernandez must sign a testing agreement with the CHRB and shall abide by the terms of that agreement.

08-04-18<sup>2</sup>

**MAAS MEETING**

Commissioner Fred Maas came to the Stewards' office for a visit. A good conversation pertaining to racing issues was had, Safety Steward Luis Jauregui accompanied him. This BOS much appreciated his visit and concerns discussed.

08-04-18<sup>3</sup>

**JOCKEY FILM REVIEW**

Israel Ocampo met with the Stewards to review the start of the eighth race in which he was warned he needs to react more quickly correcting his mount at the start. Also to discuss the designated time to report his weight to the Clerk of Scales. He was an hour late reporting his weight yesterday, his penalty is listed in the following ruling.

**DMTD RULING #010**

Jockey ISRAEL OCAMPO is fined ONE HUNDRED DOLLARS (\$100)\* for late reporting of weight for the fifth race on August 3, 2018 at Del Mar Race Track; a violation of California Horse Racing Board rule #1682 (Weighing Out).

08-04-18<sup>4</sup>

**TRICAR STABLE INC. (DANIEL CARDENAS) HEARING CASE 18SA0186 ref 7-22-18 (5)**

This hearing was continued when it became apparent a formal setting was necessary after the parties involved could not reach an agreement on the alleged money owed by Daniel Cardenas (Tricar Stables, Inc) to veterinarian practice, von Bluecher, Blea, Hunkin Inc.

In attendance before the BOS were, Dr. Jeff Blea, Dr. Helmuth von Bluecher, their counsel Steve Schwartz, Daniel Cardenas, Sal Gonzalez, trainer and interpreter for his owner and court reporter Michelle Derieg recorded the proceedings.

The practice alleges \$23,917.00 is due for services rendered. Daniel Cardenas, owner of Tricar Stables, countered that he is due financial consideration for alleged negligence pertaining to an insurance form improperly filled out when filed with an insurance company.

All witnesses were sworn in, exhibits were entered into evidence and the hearing was closed with a decision to follow.

08-04-18<sup>5</sup>

**INQUIRY/ACCIDENT DISQUALIFICATION TENTH RACE 1 mile turf**

Following the running of the race the inquiry sign was posted to review an accident that occurred near the 1/8 pole. Involved were #4 Aussie Fox (A. Espinoza 3rd), #8 Irish Spring (C. Nakatani DNF) and #11 Bitter Ring (G. Franco DNF). In a unanimous decision, #4 crossed over in front of #8 without sufficient clearance causing #8 to clip heels and fall. #11 fell over the top of #8. #4 was disqualified from third position and placed unplaced.

ORIGINAL ORDER OF FINISH 9-2-(4)-1-5-12-10-6-3-7

OFFICIAL ORDER OF FINISH 9-2-1-5-12-10-6-3-7

08-04-18<sup>6</sup>

**VOIDED CLAIMS**

After a report from Official Veterinarian Will Farmer that #5 Surfside Sunset (Tr. R.B. Hess Jr.) who raced in the second race, failed the physical examination and was placed on the Veterinarian's List the claim was voided by the Stewards. The horse returned to the stable of the original trainer.

Also in the tenth race #2 Zipman was placed on the Veterinarian's List after Official Veterinarian Will Farmer performed a physical examination. The claim was voided by the BOS and the horse returned to the stable of Bob Baffert.

08-04-18<sup>7</sup>

**DECLARATIONS, CHANGES AND REFUNDS**

1 <sup>st</sup> Race	#3 Drill Down Dude (Tr. D. O'Neill) Veterinarian-unsound-Dr. Farmer #6 Samurai Jack (Tr. M. Glatt) Veterinarian-sick-Dr. Stead #8 Fortnite Dance (Tr. P. Miller) claimed by Tr. P. Gallagher Refund: \$7,297.19
2 <sup>nd</sup> Race	#1 Closing Time (Tr. M. Puype) claimed by Tr. A. Kitchingman #5 Surfside Sunset (Tr. R.B. Hess Jr.) claimed by Tr. R. Hanson VOID Refund: \$18.00
3 <sup>rd</sup> Race	#1 Any Questions (D. Pederson) claimed by Tr. S. Knapp #6 Bold Papa (Tr. R. Baltas) claimed by Tr. M. Pender. Refund: \$88.08
4 <sup>th</sup> Race	#3 Grab the Munny (Tr. J. Sadler) Steward-stake #7 Bea's Boy (Tr. S. Miyadi) Steward-stake. Refund: \$1,821.04
5 <sup>th</sup> Race	No Changes. Refund: \$446.00
6 <sup>th</sup> Race	No Changes. Refund: \$2,826.64
7 <sup>th</sup> Race	No Changes. Refund: \$1,392.60
8 <sup>th</sup> Race	No Changes. Refund: \$369.70
9 <sup>th</sup> Race	#4 Street Vision (Tr. D. Jacobson) claimed by Tr. J. Herrick. Refund: \$84.00
10 <sup>th</sup> Race	#2 Zipman (Tr. B. Baffert) claimed by Tr. P. Gallagher VOID #8 Irish Spring (Tr. R. Baltas) DNF- deceased on track #11 Bitter Ring Home (Tr. N. Drysdale) DNF-walked off. Refund: \$1,638.76

08-04-18<sup>8</sup>**DAILY ATTENDANCE & HANDLE**

On Track	16,020	\$2,199,966.08
Off Track	7,898	\$4,586,124.31
Out –of-State	-0-	\$10,254,725.72
Total	23,918	\$17,040,816.11

**SUNDAY**08-05-18<sup>1</sup>**KEEN HEARING CASE 18SA0200**

The financial complaint was filed by the CHRB for exercise rider Nicholas Parks alleging trainer Dallas Keen owed \$800.00 for services rendered for exercising horses. Present for the informal hearing before the BOS were Dallas Keen and complainant Nicholas Parks. Both parties stated their opinions of what they felt the balance owed should be. Decision to follow.

08-05-18<sup>2</sup>**JOCKEY FILM REVIEW ref 08-04-18 (5)**

Apprentice Assael Espinoza along with his agent Brian Beach met with the Stewards to review the accident in the tenth race yesterday. Mr. Espinoza stated his horse veered inward when it saw his crop. The BOS could not agree with his assessment. It was a unanimous opinion that when he took his right hand off of the rein his horse drifted into the path of the horse to his inside who clipped heels and fell. It was a unanimous decision to issue the penalty listed in the following ruling.

**DMTD RULING #011**

Apprentice Jockey ASSAEL ESPINOZA, who rode AUSSIE FOX in the tenth race at Del Mar Race Track on Saturday, August 4, 2018 is suspended for TEN (10) racing days (August 12, 15,16,17,18,19,22,23,24 and August 25, 2018) for altering course without sufficient clearance and causing interference entering the stretch resulting in the disqualification of his mount from third to unplaced; a violation of California Horse Racing Board rule #1699 (c) (e) (Riding Rules - Careless Riding). The term of this suspension shall not prohibit participation in designated races in California.

08-05-18<sup>3</sup>**VOIDED CLAIM**

After a physical exam by Official Veterinarian Will Farmer of #5 Aurora d'Oro (Tr. D. O'Neill) who raced in the first race and #5 Mischievous Song (Tr. P. Miller) who raced in the seventh race were placed on the Veterinarian's List and both claims were voided. The two horses returned to their original trainers.

08-05-18<sup>4</sup>**DECLARATIONS, CHANGES AND REFUNDS**

1 <sup>st</sup> Race	#1 Topgallant (Tr. D. Hendricks) claimed by Tr. M. Chew	
	#5 Aurora d'Oro (Tr. D. O'Neill) claimed by Tr. V. Belvoir	VOID
	#7 Upper Room (Tr. P. Eurton) claimed by Tr. J. Hollendorfer.	Refund: \$0
2 <sup>nd</sup> Race	No Changes. Refund: \$19.00	
3 <sup>rd</sup> Race	No Changes. Refund: \$50.00	
4 <sup>th</sup> Race	#5 Eagle Ease (Tr. M. Pender) Veterinarian-unsound-Dr. Stead	
	Refund: \$482.48	
5 <sup>th</sup> Race	No Changes. Refund: \$0.00	
6 <sup>th</sup> Race	#1 Dis Smart Cat (Tr. J. Sadler) claimed by Tr. D. O'Neill.	Refund: \$0
7 <sup>th</sup> Race	#5 Mischievous Song (Tr. P. Miller) claimed by Tr. R. Baltas	VOID
	#6 Bunny Yogurt (Tr. R. Ellis) claimed by Tr. B. Spawr.	Refund: \$183.93

8<sup>th</sup> Race #10 Del Mar May (Tr.R. Baltas) S. Elliott replaced C. Nakatani (injured)  
Refund: \$175.12

9<sup>th</sup> Race #8 Grand Minister (Tr. S. Miyadi) Veterinarian-sick-Dr. S. Miyadi  
Refund: \$2,500.28

08-05-18<sup>5</sup>

**DAILY ATTENDANCE & HANDLE**

On Track	11,896	\$1,597,603.72
Off Track	7,291	\$4,222,810.85
Out –of-State	-0-	\$9,185,456.28
Total	19,187	\$15,005,870.85

**ATTENDANCE REPORT** – The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

**VETERINARIAN REPORT** – WEEK OF 08/01/18 TO 08/05/18

Horses on Vet List	18	Horses off Vet List	6
Shock Wave Therapy	24	Deceased	1
Medication	1	Claims Voided	6

**SUMMARY**

	Wed 8/01/18	Thurs 8/02/18	Fri 8/03/18	Sat 8/04/18	Sun 8/05/18	Week	Meet
Accidents	1	0	0	1	0	2	4
Cal-Bred Races	2	1	2	1	1	7	24
Claims	8	3	4	5	4	24	82
Disqualifications	0	0	0	1	0	1	1
Inquiries	1	1	0	1	0	3	9
Refunds	7	8	8	10	9	42	84
Rulings	1	0	1	2	1	5	11
Voided Claims	2	0	0	2	2	6	12

Respectfully submitted,

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Kim Sawyer, Steward

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John B. Herbuveaux, Steward

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Grant Baker, Steward

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Luis Jauregui, Safety Steward